

In order that this response fairly meets the substance of the Office Action in all respects, even though the election requirement is traversed by applicants, a single disclosed species of each identified group:

pgsA as a specific pgs gene of Group A;

pHCE2LB:pgsA:VP2 as a specific vector of Group B;

lactic acid bacteria as a specific bacteria of Group C;

antigen expressed on the surface of the microorganism as a specific expressed form of antigen of Group D; and

oral administration as a specific mode of administering the claimed vaccine of Group E

has been elected, subject to the foregoing traversal. It is understood that in a species election, if any species is found to be allowable, then an additional species will be examined, until all species have been examined, i.e., all pgs genes, all vectors, all bacteria, all expressed forms of antigen; and all modes of administering the claimed vaccine. If any generic claim is finally held to be allowable, all claims drawn to species containing all elements of the generic claim will also be held allowable (MPEP § 806.04(d)).

CONCLUSION

In response to the Requirement for Restriction dated March 28, 2008, Applicants have provisionally elected: pgsA as a specific pgs gene of Group A; pHCE2LB:pgsA:VP2 as a specific vector of Group B; lactic acid bacteria as a specific bacteria of Group C; antigen expressed on the surface of the microorganism as a specific expressed form of antigen of Group D; and oral administration as a specific mode of administering the claimed vaccine of Group E as singly disclosed species, with traversal of the election of species requirement.

Any fees required for entry of this response are hereby authorized to be charged to Deposit Account No. 08-3284.

If any additional issues remain, the Examiner is requested to contact either of the undersigned attorneys at (919)419-9350 to discuss same, in order that the prosecution of this application is expedited.

Respectfully submitted,

/steven j. hultquist/

Date: April 25, 2008

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Date: April 25, 2008

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<p>The USPTO is hereby authorized to charge any deficiency or credit any overpayment of fees properly payable for this document to Deposit Account No. 08-3284</p>
